HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL REVISION PETITION No.4266 of 2004

ORDER:

This revision is preferred against order dated 18.04.1998 in File No.B4/5352/95 of Joint Collector, Ranga Reddy District, where under order of Mandal Revenue Officer, Kandukur Mandal, dated 22.08.1988 in File No.B/362/83 in respect of lands in Survey Nos.45 and 46 situated at Mirkhanpet Village, Kandukur Mandal, Ranga Reddy District, is set aside.

2. Revision petitioners filed a petition before Mandal Revenue Officer, Kandukur, under Section 32 of A.P. (T.A.) Tenancy and Agricultural Lands Act, 1950 (for short, 'the Act'), seeking restoration of possession of lands in Survey Nos.45, 46 and 82 of Mirkhanpet Village, on the ground that respondents herein are no way concerned with the aforesaid lands and in collusion with the previous Inam holders, they forcibly got evicted them and occupied the said land. Mandal Revenue Officer, Kandukur, after conducting enquiry accepted the claim of revision petitioners herein and allowed their application filed under Section 32(1) of the Act and directed Mandal Revenue Inspector to hand over possession of land in dispute to revisions petitioners herein after evicting respondents. Aggrieved by the said order, respondents herein preferred appeal under Section 90 of the Act before the Joint Collector, Ranga Reddy District, and the Joint Collector,

on verification of records and on a reappraisal of the material, held that revision petitioners extinguished the tenancy rights and they are not entitled for recovery of possession, consequently allowed the appeal and dismissed the application of revision petitioners filed under Section 32(1) of the Act.

3. When this matter has come up on 21.01.2015, advocate for revision petitioners took time and on their request it was adjourned to 28.01.2015 and on that day also, they sought for adjournment and the same was considered and two weeks time was granted with a specific direction that no further adjournment will be granted. Accordingly, the matter is listed after two weeks and on that day also, revision petitioners took one more adjournment by one week and today in spite of posting the matter on their request, no one appeared for revision petitioners and no representation is made.

4. Advocate for respondents is present and submitted that the learned Joint Collector, appreciated the material on record and as per the record, revision petitioners are not protected tenants and their rights were already extinguished and Joint Collector rightly dismissed the application of revision petitioners claiming re-possession and that there are no grounds to interfere.

5. I have perused the order of the learned Joint Collector and as per the findings, the disputed lands are Inam lands. To claim tenancy rights, the persons claiming

such rights, have to prove their possession as on the date of notification i.e., on 01.11.1973 and then only they are entitled to claim occupancy rights. But as the revision petitioners failed to prove that aspect, the Joint Collector observed that they are not entitled for occupancy right certificate, therefore, I do not find any illegality in the order of the Joint Collector, Ranga Reddy, nor any incorrect findings contrary to the material on record. For these reasons, I am of the view that revision is devoid of merits and liable to be dismissed.

6. Accordingly, revision is dismissed. No costs.

7. Miscellaneous Petitions, if any, shall stand dismissed.

S. RAVI KUMAR, J

18th February 2015.

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